

MPS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Grooms *et al.*

Application No.: 09/905,683

Filed: 7/16/2001

Title: Cortical Bone Cervical Smith-Robinson  
Fusion Implant

Attorney Docket No.: TB-104IACA



Group Art Unit:  
3732

*S*  
COPY OF PAPERS  
ORIGINALLY FILED

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION AND  
PETITION TO MAKE APPLICATION UNDER 37 CFR § 1.47(a)**

Assistant Commissioner for Patents  
Washington, D.C. 20231  
Attention: Box Missing Parts

Sir:

This is in response to a Notice to File Missing Parts of Application under 37 CFR 1.53(b). Enclosed is a copy of said Notice and the following documents and fees to complete the filing requirements of the above-identified application.

(X) Partially executed Declaration and Power of Attorney. Please see the attached Petition under 37 C.F.R. 1.47(a) for explanation of partial execution. The above-identified application is the same application, which the inventor executed by signing the enclosed declaration.

(X) Statutory basic filing fee of \$740.00 (X) Utility ( ) Design

(X) Additional claim fees of \$1,440.00 (\$684.00 for 38 total claims over 20 and \$756.00 for 9 independent claims over 3).

(X) Missing Parts Surcharge of \$130.00.

(X) Petition and fee for a one-month extension of time in the amount of \$110.00.

(X) Petition to Make Application Under 37 CFR § 1.47(a) with attachments.

(X) Petition fee under 37 CFR §1.17(h).

(X) Payment is by credit card. Form PTO-2038 is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope with sufficient postage addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit: March 11, 2002

Typed Name: Timothy H. Van Dyke

Signature:

Respectfully submitted,

By   
Timothy H. Van Dyke, Reg. No. 43218

Date: March 11, 2002

**Customer No: 29847**

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UNITED STATES PATENT AND TRADEMARK OFFICE

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COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/905,683	07/16/2001	Jamie M. Grooms	TB-104IACA

## CONFIRMATION NO. 4376

## FORMALITIES LETTER



\*OC000000007175896\*

Timothy H. Van Dyke  
Bencen & Van Dyke, P.A.  
1630 Hillcrest Street  
Orlando, FL 32803

COPY OF PAPERS  
ORIGINALLY FILED

Date Mailed: 12/10/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

11/19/2002 MTEKLEM1 00000007 150030 09905683 FILED UNDER 37 CFR 1.53(b)

01 FC:1202 280.00 CH  
02 FC:1203 280.00 CH *Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$1404.
  - \$684 for 38 total claims over 20.
  - \$720 for 9 independent claims over 3 .
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 2244.**

Adjustment date: 10/04/2002 MTEKLEM1  
02/04/2002 MAHMEDI 00000007 09905683  
03 FC:104

-280.00 OP

*A copy of this notice **MUST** be returned with the reply.*

Repln. Customer Service Center  
Dkt. 150030 MTEKLEM1 00000007 09905683  
FC: 704 Initial Patent Examination, DIVISION (0703) 308-1202  
\$280.00 CR PART 2 - COPY TO BE RETURNED WITH RESPONSE

88  
740.00 OP  
756.00 OP  
684.00 OP  
130.00 OP  
03/22/2002 SFEL1 00000050 09905683  
01 FC:101  
02 FC:102  
03 FC:103